

An act to amend Section 44299.91 of the Health and Safety Code, and to amend Section 5096.650 of the Public Resources Code, relating to vehicular air pollution.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 44299.91 of the Health and Safety Code is amended to read:

44299.91. Of the funds appropriated pursuant to Item 3900-001-6053 of Section 2.00 of the Budget Act of 2007, the State Air Resources Board shall allocate the funds in accordance with all of the following:

(a) All schoolbuses in operation in the state of model year 1976 or earlier shall be replaced.

(b) (1) The funds remaining after the allocation made pursuant to subdivision (a) shall be apportioned to local air quality management districts and air pollution control districts based on the number of schoolbuses of model years 1977 to 1986, inclusive, that are in operation within each district.

(2) Each district shall determine the percentage of its allocation to spend between replacement of schoolbuses of model years 1977 to 1986, inclusive, and retrofit of schoolbuses of any model year. Of the funds spent by a district for replacement of schoolbuses pursuant to this paragraph, a district shall replace the oldest schoolbuses of model years 1977 to 1986, inclusive, within the district. Of the funds spent by a district for retrofit of schoolbuses pursuant to this paragraph, a district shall retrofit the most polluting schoolbuses within the district.

(c) All schoolbuses replaced pursuant to this section shall be scrapped.

(d) These funds shall be administered by either the California Energy Commission or the local air district.



(e) If a local air district's funds, including accrued interest, are not committed by an executed contract as reported to the State Air Resources Board on or before June 30, 2012, then those funds shall be transferred, on or before January 1, 2013, to another local air district that demonstrates an ability to expend the funds by January 1, 2014. In implementing this section, the State Air Resources Board in consultation with the local air districts shall, by September 30, 2012, establish a list of potential recipient local air districts, prioritizing local air districts with the most polluting school buses and the greatest need for school bus funding.

(f) Each allocation made pursuant to this section to a local air district shall provide enough funding for at least one project to be implemented pursuant to the Lower-Emission School Bus Program adopted by the State Air Resources Board. In the event a local air district has unspent funds as of January 1, 2014, the local air district shall work with the State Air Resources Board to transfer the unspent funds to an alternative local air district with existing demand.

(g) Funds made available pursuant to this chapter to a local air district shall be expended by June 30, 2014.

(h) All funds not expended by a local air district by June 30, 2014, shall be returned to the State Air Resources Board.

(i) Funds authorized by the State Air Resources Board during or subsequent to the 2013–14 fiscal year shall be allocated to local air districts by prioritizing to retrofit or replace the most polluting schoolbuses in small local air districts first and then medium local air districts as defined by the State Air Resources Board. Each allocation shall provide sufficient funding for at least one project to be implemented pursuant to



the Lower-Emission School Bus Program adopted by the State Air Resources Board.
If a local air district has unspent funds within six months of the expenditure deadline,
the local air district shall work with the State Air Resources Board to transfer those
funds to an alternative local air district with existing demand.

SEC. 2. Section 5096.650 of the Public Resources Code is amended to read:

5096.650. The one billion two hundred seventy-five million dollars (\$1,275,000,000) allocated pursuant to subdivision (c) of Section 5096.610 shall be available for the acquisition and development of land, air, and water resources in accordance with the following schedule:

(a) Notwithstanding Section 13340 of the Government Code, the sum of three hundred million dollars (\$300,000,000) is continuously appropriated to the Wildlife Conservation Board for the acquisition, development, rehabilitation, restoration, and protection of habitat that promotes the recovery of threatened and endangered species, that provides corridors linking separate habitat areas to prevent habitat fragmentation, and that protects significant natural landscapes and ecosystems such as old growth redwoods and oak woodlands and other significant habitat areas; and for grants and related state administrative costs pursuant to the Wildlife Conservation Law of 1947 (Chapter 4 (commencing with Section 1300) of Division 2 of the Fish and Game Code). Funds scheduled in this subdivision may be used to prepare management plans for properties acquired in fee by the Wildlife Conservation Board.

(b) The sum of four hundred forty-five million dollars (\$445,000,000) to the conservancies in accordance with the particular provisions of the statute creating each conservancy for the acquisition, development, rehabilitation, restoration, and protection



of land and water resources; for grants and state administrative costs; and in accordance with the following schedule:

(1)	To the State Coastal Conservancy	\$200,000,000
(2)	To the California Tahoe Conservancy	\$ 40,000,000
(3)	To the Santa Monica Mountains Conservancy	\$ 40,000,000
(4)	To the Coachella Valley Mountains Conservancy	\$ 20,000,000
(5)	To the San Joaquin River Conservancy	\$ 25,000,000
(6)	To the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy	\$ 40,000,000
(7)	To the Baldwin Hills Conservancy	\$ 40,000,000
(8)	To the San Francisco Bay Area Conservancy Program	\$ 40,000,000

(c) The sum of three hundred seventy-five million dollars (\$375,000,000) shall be available for grants to public agencies and nonprofit organizations for acquisition, development, restoration, and associated planning, permitting, and administrative costs for the protection and restoration of water resources in accordance with the following schedule:

(1) The sum of seventy-five million dollars (\$75,000,000) to the secretary for the acquisition and development of river parkways and for protecting urban streams. The secretary shall make funds available in accordance with Sections 7048 and 78682.2 of the Water Code, and pursuant to any other applicable statutory authorization. Not less than five million dollars (\$5,000,000) shall be available for grants for the urban streams program, pursuant to Section 7048 of the Water Code.

(2) The sum of three hundred million dollars (\$300,000,000) shall be available for the purposes of clean beaches, watershed protection, and water quality projects to protect beaches, coastal waters, rivers, lakes, and streams from contaminants, pollution, and other environmental threats.



(d) (1) The sum of fifty million dollars (\$50,000,000) to the State Air Resources Board for grants to air districts pursuant to Chapter 9 (commencing with Section 44275) of Part 5 of Division 26 of the Health and Safety Code for projects that reduce air pollution that affects air quality in state and local park and recreation areas. Eligible projects shall meet the requirements of Section 16727 of the Government Code and shall be consistent with Section 43023.5 of the Health and Safety Code, if Assembly Bill 1390 of the 2001–02 Regular Session of the Legislature is enacted on or before January 1, 2003. Each air district shall be eligible for grants of not less than two hundred thousand dollars (\$200,000). Not more than 5 percent of the funds allocated to ~~a~~ an air district may be used to cover the costs associated with implementing the grant program.

(2) Allocations of funds pursuant to this subdivision to the Lower-Emission School Bus Program shall be prioritized to retrofit or replace the most polluting schoolbuses in small air districts first and then to medium air districts as defined by the State Air Resources Board. Each allocation for this purpose shall provide enough funding for at least one project to be implemented pursuant to the Lower-Emission School Bus Program adopted by the State Air Resources Board. If a local air district has unspent funds within six months of the expenditure deadline, the air district shall work with the State Air Resources Board to transfer funds to an alternative air district with existing demand.

(e) The sum of twenty million dollars (\$20,000,000) to the California Conservation Corps for the acquisition, development, restoration, and rehabilitation of land and water resources, and for grants and state administrative costs in accordance with the following schedule:



(1) The sum of five million dollars (\$5,000,000) shall be available for resource conservation activities.

(2) The sum of fifteen million dollars (\$15,000,000) shall be available for grants to local conservation corps for acquisition and development of facilities to support local conservation corps programs.

(f) The sum of seventy-five million dollars (\$75,000,000) shall be available for grants for the preservation of agricultural lands and grazing lands, including oak woodlands and grasslands.

(g) The sum of ten million dollars (\$10,000,000) to the Department of Forestry and Fire Protection for grants for urban forestry programs pursuant to the California Urban Forestry Act of 1978 (Chapter 2 (commencing with Section 4799.06) of Part 2.5 of Division 1).



LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Vehicular air pollution: Lower-Emission School Bus Program: funding.

(1) Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B at the November 7, 2006, statewide general election, authorizes the issuance of \$19,925,000,000 of general obligation bonds for specified purposes, including schoolbus retrofit and replacement purposes. Existing law also establishes various programs for the reduction of vehicular air pollution, including the Lower-Emission School Bus Program adopted by the State Air Resources Board. Existing law appropriates funds to the state board and requires the state board to allocate these bond funds in specified ways, including funding to local air pollution control and air quality management districts.

This bill would require funds authorized by the state board during or subsequent to the 2013–14 fiscal year to be allocated to local air pollution control and air quality management districts by prioritizing to retrofit or replace the most polluting schoolbuses

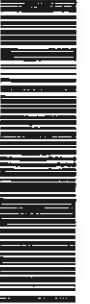


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in small local air pollution control and air quality management districts first and then medium local air pollution control and air quality management districts as defined by the state board. The bill would require each allocation to provide sufficient funding for at least one project to be implemented pursuant to the Lower-Emission School Bus Program. The bill, if a local air pollution control or air quality management district has unspent funds within 6 months of the expenditure deadline, would require the local air pollution control or air quality management district to work with the state board to transfer those funds to an alternative local air pollution control or air quality management district with existing demand.

(2) Existing law, the California Clean Water, Clean Air, and Safe Neighborhood Parks, and Coastal Protection Act of 2002, approved by the voters as Proposition 40 at the March 5, 2002, statewide primary election, authorizes the issuance of bonds in the amount of \$2,600,000,000, for the purpose of financing a program for the acquisition, development, restoration, protection, rehabilitation, stabilization, reconstruction, preservation, and interpretation of park, coastal, agricultural land, air, and historical resources, as specified.

Proposition 40 requires that a specified sum from the proceeds of bonds issued and sold under its provisions, which is available upon appropriation by the Legislature, be allocated to the State Air Resources Board for grants to air pollution control and air quality management districts pursuant to the Carl Moyer Memorial Air Quality Standards Attainment Program for projects that reduce air pollution that affects air quality in state and local park and recreation areas.



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This bill would require that allocations of these funds to the Lower-Emission School Bus Program be prioritized to retrofit or replace the most polluting schoolbuses in small local air quality management districts first and then to medium local air quality management districts as defined by the state board. The bill would require that each allocation for this purpose provide enough funding for at least one project to be implemented pursuant to the Lower-Emission School Bus Program. The bill, if a local air quality management district has unspent funds within 6 months of the expenditure deadline, would require the local air quality management district to work with the state board to transfer funds to an alternative local air quality management district with existing demand.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

